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FACSIMILE TRANSMITTAL

TO

Name: Examiner Jennifer Graser
Firm: U.S. Patent and Trademark Office
Fax No.: (703) 746-5150
Phone No.: (703) 308-1742
Date: August 11, 2003
Subject: U.S. Patent Appln No. 09/555,139

FROM

Name: Jeremy M. Stipkala
Phone No.: (202) 408-4331
Fax # Verified by: R. Dillon-MD680
Pages (incl. this): 28
Our File No.: 01975.0024

Confirmation Copy to Follow: No

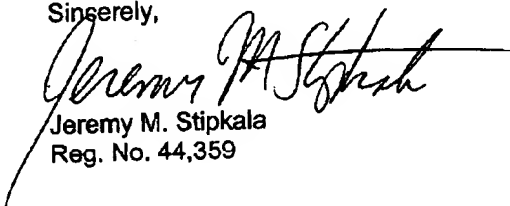
Message:

Dear Examiner Graser:

I enclose a courtesy copy of our Request for Continued Examination (RCE) Transmittal, Petition for Extension of Time (3 months), Amendment, and enclosure filed July 14, 2003, and a copy of the postcard showing receipt of all these documents on the same day.

Please let me know if you need any additional information.

Sincerely,


Jeremy M. Stipkala
Reg. No. 44,359

If there is a problem with this transmission, notify fax room at (202) 408-4174 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of:
 Gustaaf J.M. van SCHARRENBURG et al.
 U.S. Application No.: 09/555,139
 Int'l. Appln. Filed: November 24, 1998
 § 371 Date: December 13, 2000
 RCE Filing Date: July 14, 2003
 For: VACCINES WITH AN LTB ADJUVANT

Group Art Unit: 1645
 Examiner: J.E. Graser

- *****
1. Request for Continued Examination (RCE) Transmittal (1 page)
 2. Petition for Extension of Time (Three Months) (1 page)
 3. Amendment Accompanying RCE (20 pages)
 4. Enclosure: SIGMA CHEMICAL COMPANY CATALOGUE 506, 2002-2003. (4 pages)
 5. Check in the sum of \$1,752.00 (\$930 extension; \$750 RCE; \$72 extra claims)
- *****

Dated: July 14, 2003
 Client No.: 01975.0024-00000
 MCB/JMS:A. Blakemore - MD680



Due Date: July 15, 2003

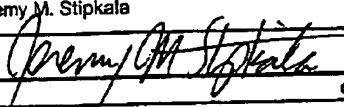
*OK'd
 7-15-03
 L*

FINNEGAN, HENDERSON, FARABOW
 GARRETT & DUNNER, L.L.P.

DETACH AND RETAIN THIS STATEMENT
 THE ATTACHED CHECKS IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

075872

VENDOR I.D.#/GL#	INVOICE DATE	INVOICE #	INVOICE AMOUNT
01975 0024-00000	07/14/03	253483	750.00
01975 0024-00000	07/14/03	253483	930.00
01975 0024-00000	07/14/03	253483	72.00
A. BLAKEMORE			1,752.00

Mail Stop RCE								
<div style="text-align: center;">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</div> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td>Application Number: 09/555,139</td></tr><tr><td>Filing Date: December 13, 2000</td></tr><tr><td>First Named Inventor: Gustaaf J. M. Van Scharrenburg</td></tr><tr><td>Group Art Unit: 1645</td></tr><tr><td>Examiner: J. E. Graser</td></tr><tr><td>Attorney Docket Number: 1975.0024-00</td></tr><tr><td>Attorney Customer Number: 22,852</td></tr></table>	Application Number: 09/555,139	Filing Date: December 13, 2000	First Named Inventor: Gustaaf J. M. Van Scharrenburg	Group Art Unit: 1645	Examiner: J. E. Graser	Attorney Docket Number: 1975.0024-00	Attorney Customer Number: 22,852
Application Number: 09/555,139								
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First Named Inventor: Gustaaf J. M. Van Scharrenburg								
Group Art Unit: 1645								
Examiner: J. E. Graser								
Attorney Docket Number: 1975.0024-00								
Attorney Customer Number: 22,852								
<p>This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.</p> <p>Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 66 Fed. Reg. 14865 (March 20, 2000). <u>Off. Gaz. Pat. Office</u> 47 (April 11, 2000), which established RCE practice.</p>								
<p>1. Submission required under 37 C.F.R. § 1.114:</p> <p>a. <input type="checkbox"/> Previously submitted</p> <p style="margin-left: 20px;">i. <input type="checkbox"/> Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date] _____.</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.</p> <p style="margin-left: 20px;">iii. <input type="checkbox"/> Other _____</p> <p>b. <input checked="" type="checkbox"/> Enclosed:</p> <p style="margin-left: 20px;">i. <input checked="" type="checkbox"/> Amendment/Reply</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p style="margin-left: 20px;">iii. <input type="checkbox"/> Information Disclosure Statement</p> <p style="margin-left: 20px;">iv. <input checked="" type="checkbox"/> Other <u>Petition for Extension of Time (Three Months)</u></p>								
<p>2. Miscellaneous</p> <p>a. <input type="checkbox"/> Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)</p> <p>b. <input type="checkbox"/> Other _____</p>								
<p>3. Fees</p> <p>a. <input checked="" type="checkbox"/> The filing fee is calculated as follows:</p> <p style="margin-left: 20px;">i. <input checked="" type="checkbox"/> \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)</p> <p style="margin-left: 20px;">ii. <input checked="" type="checkbox"/> Petition for Extension of Time (Three Months) \$930.00</p> <p style="margin-left: 20px;">iii. <input checked="" type="checkbox"/> Other <u>4 additional dependent claims (\$72.00)</u></p> <p>b. <input checked="" type="checkbox"/> Check in the amount of \$1752.00 enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.</p>								
Signature of Applicant, Attorney, or Agent Required								
Name: Jeremy M. Stipkala	Reg. No.: 44,359							
Signature: 	Date: July 14, 2003							
Certificate of Mailing or Transmission								
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:								
Name:	Date:							
Signature:								

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AUG 11 2003 15:17 FR FINNEGAN HENDERSON 202 408 4400 TO 7037465150#

P. 05

PATENT
Customer No. 22,852
Attorney Docket No. 1975.0024-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PCT Application No. PCT/EP98/07553 of:

Gustaaf J.M. van SCHARRENBURG et al.

U.S. Application No.: 09/555,139

Internat'l App. Filed: November 24, 1998

§ 371 date: December 13, 2000

For: VACCINES WITH AN LTB ADJUVANT

Group Art Unit: 1645

Examiner: J.E. Graser

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT ACCOMPANYING RCE

In reply to the Final Office Action of January 15, 2003, the period for response being extended to July 15, 2003 by the accompanying petition and fee, Applicants respectfully request reconsideration and continued examination of this application in view of the following amendments and remarks. Applicants file herewith a Request for Continued Examination under 37 C.F.R. § 1.114 to ensure entry of this Amendment and to expedite allowance.

This Amendment appears in the revised format allowed by the U.S. Patent and Trademark Office according to the notice appearing on the PTO website at:
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm>.

Deletions appear in ~~strike through font~~, and additions are underlined.